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AUTHOR Michel, George J.
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ABSTRACT

Among recently emerged educational policy structures in New York State, only the New York State United Teachers is likely to become a permanent new force, and its influence over general educational policies is expected to be weak. Within the current political-educational policy structure, prospects are dim for solutions to such complex issues as state funding of schools and equalizing educational opportunity. Political and educational feuds prevent creation of a new educational policy structure and eliminate any possibility of solutions to these problems. It is also doubtful that the controversial issue of educational decentralization will be resolved. The impact of teacher negotiations and unionization should be described as illusory, since it is difficult to verify either harmful or beneficial results from such negotiations. Most benefits that can be documented seem excessively costly to unionized teachers, though nonunionized teachers in neighboring districts enjoy a beneficial spillover effect. (Author/JG)

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Policy Making and Issues of Education in New York State

George J. Michel
The Catholic University of America
School of Education
Washington, D. C. 20064

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All New York Staters know something about educational issues in the state. For example, most people know that the immediate responsibility for educational policy making rests with their elected officials. They know, too, that interest groups and the legislators play an important role, but they may not know that Commissioner Ewald Nyquist has a less important role in New York State education than some of the other policy actors.

In a recent article, Arnold Kaye identified two emerging new forces for new policy structures resulting from the recent economic troubles in New York. Earlier studies of educational policy making showed that the educational policy structure was split between state government and the State Department of Education. The state structure maintained control of fiscal matters under the leadership of the Governor, party leaders, and chairmen of the powerful legislative committees. But, the second part of the split, the State Department of Education headed by Nyquist, held control of the expert power also sorely needed for educational policy making. A third force that also entered the policy making structure was the Educational Conference Board. It represented a coalition of professional education groups in New York State with its strongest influence felt in the 1950's and 1960's under the leadership of Paul Mort and Arvid Burke. Whenever there was a policy conflict over education, these three groups became involved and the question was usually settled by a compromise between the group that held the financial resources and the group that had the information.[1]

The New Policy Forces

By tradition, the Educational Conference Board had always maintained a low profile in this policy process. It lobbied and negotiated at the grass

roots level and did things for education conservatively and quietly. In strong contrast to the generally quiet diplomacy of the Conference Board is the emerging model of the New York State United Teachers (NYSUT).[2] Presently, NYSUT is a big question mark when it comes to influence over the broad educational policies in the state. Even its influence over the more narrow issues of the salaries and working conditions of teachers has been seriously challenged. For example, Masters indicated that although a number of teachers' organizations have sought to enact broad educational legislation, they had very mixed success. Generally, he found that teachers' organization had very little effect on education laws, or their teacher members or even the teachers' pay scale.[3] It may sound frivolous, but it would appear that Albert Shanker, NYSUT's leader, has been much more successful in New York State than the NYSUT organization has been. However, an analysis of union leader Shanker's work seems to show that his personal success has far surpassed that of NYSUT or the teachers in the state.[4] Myron Lieberman, a long-time friend of Shanker, said of him:

> "Success has been very good for Al ....I think he's not petty, he's not vindictive, he's gotten more self assurance. He has some tremendous attributes."[5]

Lieberman's unqualified endorsement of Shanker is a gratifying personal testimony, but it says absolutely nothing about NYSUT's effectiveness as a new force for educational policy making. The best estimates are that as a new force, it is a weak one and will be that way for years to come.

In 1972 Governor Rockefeller made an attempt to establish another new policy force in education. After some political squabbling, he established the Office of Education Performance Review (OEPR). OEPR was headed by Daniel

Klepak and there is no doubt that the Governor's intent was to develop OEPR into an independent source of educational information outside of the State Department of Education. At that time, it appeared that Governor Rockefeller began an educational policy manipulation that was doomed to failure. Reliable sources pointed out that from its inception, the OEPR staff was in high conflict because there were both anti-education and pro-education positions present among them and the anti-education position dominated the leadership. Klepak, himself, stimulated this internal conflict because of his personality. Turnover, among the OEPR staff had always been extremely high, and part of the reason was that Klepak is a dogmatic man who knows virtually nothing about education. He is a 22 year civil service bureacrat who has a reputation as a hachet man in the social welfare agencies across the state. It was no surprise when the NYSUT organization, members of the Conference Board, and the State Department of Education virtually squeezed off OEPR's effectiveness in educational policy making by offering OEPR only the barest minimum of surface-type cooperation to achieve its objectives. OEPR and Klepak then became a political liability to short-term governor Malcolm Wilson and it was turning into a more formidable liability to Governor Carey until the OEPR was recently omitted from the Governor's budget.

Issue of Funding

OEPR in its short existence did nothing to address school finance in New York State. State aid to schools has been a perennial concern and it still remains the number one problem. Battles over formula distribution of state moneys have been regular and joint legislative reports and commission reports have been part of the educational finance battle since 1920. The climax of all these events is known in

Roman-like terms as "the battle of the budget." Since 1962 when the Diefendorf Committee recommended a shared-cost plan for the state financing of schools, state funding has been based on a proportion of the difference between a school district's taxable wealth per pupil and the average taxable wealth for all the districts in the state. To prevent a raid on the state coffers, there is a ceiling on the costs of the state's share. The annual budget battle is focused between the state's share of school costs and the phenomenal increases in costs that have been absorbed by local school districts. However, the budget battle has worsened in recent years because the proportion of state aid to meet education costs has been decreasing since 1967 while the share of the local school districts has been increasing. Milstein found that the educational finance battle centers on the Joint Legislative Committee (JCL), the Educational Conference Board, and the Governor. However, the JCL usually recommends what the state's share of education costs should be after it has reviewed the Governor's budget. Any disagreements or compromises over these costs are then made, not along educational lines, but along party lines.[6]

In these education budget disagreements, two conservative groups represent education interests, one already mentioned in the Educational Conference Board and the other is the Board of Regents. Both these groups generally take the stance that education in the state is being short-changed and then the battle lines seem to be drawn around the issue that current fiscal policies ought to be changed. The battle over the education budget is fought among three other interest groups besides the educational interests. First is the political group where the battle concerns shifting the responsibility for failure in the education budget between the Governor's political party and the party out of power.

Then, there is the more parochial legislative battle whose combatants are the legislators where the financial concerns are translated into opinions about tax increases, or tax economies or some parochial concerns about getting a share of the educational finance moneys for their own local school districts. Lastly is the battle translated into very traditional lines of differing political party philosphies regarding education.

The most recent commission report organized in an attempt to resolve the educational finance struggles in the state was the Fleischmann Commission Report. The Commission, headed by defeated legislator Manly Fleischmann, was to investigate all aspects of the public schools of New York State and make recommendations about finances, administration, teachers and any other issues which affected school costs and quality. The only issue of concern in this paper will be the Commission findings on costs and quality. A major assertion in the Report was that more money for schools would lead to better education. The Commission said it this way:

> "Apart from extreme situations, experience tells us that the amount of money expended does make a meaningful difference in the quality of education"[7]

The Report went to extremes in pointing out that the courts make this same assumption when they make judgments about school finance. But, this assumption, embraced by the Fleischmann Commission, is only partly correct, and current court decisions are, instead, coming to the conclusion that moneys are not the panacea for erasing school inequalities. Yet, the Fleischmann Commission persisted in stressing what seems to be a traditional myth in education that money makes all the difference.[8] In fact, it persisted so hard that faulty evidence was presented to support the point. In the Report is an example of the inequities

in school finance that exist between two neighboring school districts, Levittown and Great Neck.[9] It is true that these districts represents a great extreme between wealth and poverty among school districts, but these districts are extreme and there is no evidence in the Fleishchmann Report or in the State as a whole that such is the case with every school district. It appears that the Fleischmann Commission is also guilty of using improper methods to prove to the New York legislators and to the public at large that gross inequities in school finance do, in deed, exist.[10]

The flaw in the Fleichmann Report is as was pointed out earlier. It placed too much credence on the proposition that equalizing funding across the state would also equalize education and opportunity. However, Fleischmann and his professional staff are the victims of their own inconsistencies since there is other evidence in the report contradicting this proposition. Equalizing funding in the state will not reduce inequities caused by parents, their demands for education and the social and economic variables that determine some of the benefits from education. The truth of educational opportunity seems to lie more closely toward a proposition that money is not the best equalizer. Certainly, it would be deceptive to exclude fiscal considerations in obtaining educational opportunities , but it was very deceptive of the Fleischmann Commission to use extreme examples to demonstrate financial inequities which may be non-existent.

The solution to New York State's educational finance problems does not lie in the improper use of data. If educational inequities can be erased, it is more logical to modify and vary instructional strategies to increase educational

efficiency and change instructional goals to mesh with the limitations created by socio-economic characteristics of people and communities. Certainly, the dramatic increases in teachers' salaries have done nothing to alleviate educational inequities in the state. Salaries of teachers have increased while, at the same time, teachers' working hours and their contact hours with students have declined. High pay and fewer hours for teaching will only force educational interests in the state to consider instructional alternatives and the use of educational technology as a substitute for the very expensive teacher. So it seems that technology, not money alone, will be called upon to solve educational inequities.

Decentralization in the Empire State

Another powerful educational issue related to educational finance is the redistricting of schools. It has become a political issue solely because it is the responsibility of the New York State legislature to consolidate the schools. When city school systems were created in 1917, each city was consolidated under a single board of education responsible for operating and managing the schools. The law on consolidation had been enacted to eliminate some 250 other laws pertaining to schools in the city, and at that time provisions were made for school-community boards to advise the board of education.

Wide discussion about undoing consolidation and decentralizing the schools only began in the state about 1964. The stimulus to the discussion was the actions of racial minorities as they sought a greater voice in school decisions. As a result the question of racial discrimination became part of that discussion. But there were also other questions about decentralization such as who had political control of the schools and who regulated the employment of teachers. The main

thrust, however, was the struggle for power over the schools by blacks and the main battlefield was New York City.

The confusion and conflict in New York City developed over what Miriam Wasserman had called a "Disirgenuous verbal subterfuge, referred mainly to the redistribution of the administrative functions of the central bureaucracy of the board of education...."[11] What Wasserman was to have described was the non-rational approach to the decentralization of the New York City schools. It was not remotely related to efficiency in school government, but it had some very sincere objectives in trying to apply a kind of trickle down theory of democracy in the schools.[12]

The great interest in school decentralization was part of an initiative of the city government. However, school decentralization in New York City was made much more complicated by the United Federation of Teachers. It was trying to hold on to bargaining power for the teachers, and at the same time the city officials, themselves, were trying to develop a trickle down theory of democracy in the schools while also trying to hold on to school policy making. A further complication to the decentralization issue was the emotional one of improving the education of blacks and Puerto Ricans. Minority parents picked up the decentralization banner because their feelings were that the city schools were deteriorating and they wanted power over the schools to reduce the frustrations. These parents became involved in the protest over segregation in IS 201 in Harlem. The Ford Foundation then became interested in the parent involvement aspects of IS 201 and established three demonstration districts to test the effects of citizen

involvement in the schools. However, after the community school boards were elected, disagreements developed over what was meant by community control. The culmination of this conflict was a prolonged school strike by the United Federation of Teachers (UFT). The strike prompted the parents to break into the schools to try to run them with renegade teachers and volunteers. Stormy meetings took place to resolve the conflict where men with weapons appeared. This decentralization conflict raised questions about parent interest in black power against the teachers' civil service unionism. The conflict ended, but there were no firm answers to the questions and there was no hard evidence to show that decentralization benefitted either children or parents.[13]

Issue of Teacher Negotiations

The decentralization issue also ushered in a new era of professionalism with teacher strikes. Up until 1956, teacher strikes were completely unknown, But in 1968, over 2 million man-days of work were lost by teachers and librarians who were out on strikes.[14] An indicator of this new era was the phenomenal growth of the American Federation of Teachers (AFT). In twelve years the AFT grew in its membership by 230 per cent, and the increasing teacher militancy evidenced by striking teachers was apparent even to the casual observer. The 1960's became a period of civil rights marches, racial strife and teachers' strikes. One example was the decentralization strike in Ocean Hill-Brownsville by the UFT in 1968. In the main, observers called that teachers' strike racially motivated. It revolved around the transfer of ten white teachers by a black administrator in a largely black school area. To the administrator, however, it was not a racial incident but an issue that revolved around community control of the schools. From the UFT position, it was a matter of trying to preserve the integrity of the

teachers' contract and the sanctity of the civil service procedures. Basically, the issue was whether the schools would stay open while a two front battle ensued over community control of the schools.[15]

The New York City Teachers Strike was a unique educational disaster where the issue of race became entangled in a confusion of community control and administrative decision making. It revealed for the first time the internal workings of the New York City schools and how union membership, teacher seniority, and community groups all came together in the concept of the neighborhood school. It could also take credit for demonstrating how the race issue quickly became a factor placed on the agenda of the infamous teachers' strike.

Strikes became the signal of the new era of teacher negotiations, but they were not beneficial to the movement. A growing body of literature on teacher strikes has suggested that the benefits of teacher negotiation are slim indeed. Kasper was generally not able to show that the activities of teachers' unions were even mildly related to increases in teachers' salaries which unions were quick to claim.[16] In fact, he demonstrated that the salary increases for teachers over the past ten years were more probably related to white collar demands for better education. The major factor accounting for high teachers' salaries has been that school boards in the large cities have tried to compensate the teachers for large classes and poor working conditions. However, in another study, Hall and Carroll were able to show that teachers' unions only accounted for an average of $165 per year in salary increases.[17,18] But that small amount can hardly be considered beneficial to teachers in this current period of inflation-recession. Even to the present time, it would seem

that the only real benefit to teacher unionism does not derive to the union members, but instead goes to the teachers in non-union, neighboring school districts. In districts surrounding so-called union districts, the school boards have a tendency to raise teachers' salaries to discourage the teacher militancy and strikes. Teachers in the non-union districts then gain increased salaries without paying the costs of union membership. These benefits are known as negotiations "spillovers" and they have meant more benefits to teachers in non-union school districts.

Even considering the relatively poor benefits from NYSUT activities and the effects of teacher strikes in New York State, there have been few strikes. New York has more school districts and thus the potential for a great many strikes, yet the teachers have lost few work days because of strikes. From 1970-1971, the state lost only 8,799 work days in strikes compared to over 37 million assumed man-days of instruction. Hinman attributes this to the finely developed elements of the Taylor law and its fact-finding mechanisms which preserve the true collective bargaining ideals.[19] Others indicate that it is the severe penalties extracted from teachers who strike. The fact is that teacher negotiations have become a permanent fixture of educational politics in New York state in spite of their questionable contributions to policy making.

Synopsis

Among the issues that are important for education in New York state, new policy structures appear as momentary impressions on the more enduring political and educational policy structures. Of those that emerged, only NYSUT is expected to become a permanent new force. Even then, its influence over general and long-run educational policies in the state is expected to be weak.

Over such complex issues as those regarding state funding of the schools and equalizing educational opportunity, the prospects are dim that any solutions exist in the current political-educational policy structure. Hope to solve these problems lies only with a new educational policy structure that would submerge the political and educational feuds that exist in the current structure. But, partisan politics and educational politics at present cannot agree to rework limited state funding into alternative instructional strategies. That eliminates any possibility of a solution to the problems.

The same prediction can be made about decentralization. Although it is still a powerful issue in the state, the questions of economy, parental control, and racial discrimination which it raises are much too conflict provoking and emotional. Because the issue is unpredictable, it is doubtful that solutions will be pursued by either the political or educational structure. The costs of such pursuit are far greater than either policy structure can absorb, and so the issue will lie dormant but will remain an illusion, ever present but with a shadow of an existence.

The issue of teacher negotiations should also be described as an illusory one. It has been difficult to document or verify either harmful or beneficial policy output from negotiations. For the most part, the benefits that can be

documented seem to be excessively costly to unionized teachers and more of a spillover for non-union teachers. More of the same can be expected for the next few years.

Footnotes

1. Arnold Kaye "Educational Interests and the Director of the Office of Education Performance Review," unpublished paper, Department of Educational Administration, State University of New York. Albany, 1973.

2. "Legislative Roundup "The New York Teacher, March 4, 11, and April 11, 1973.

3. W. Frank Masters, "Teacher Job Security Under Collective Bargaining Contracts," Phi Delta Kappan, 56 (7): 455 March, 1975.

4. Shaker's individual success has been well documented by a study of Shanker in the same issue of Phi Delta Kappan, March, 1975.

5. Bernard Bard "Albert Shanker - A Portrait in Power," Phi Delta Kappan 56 (7): 466, March, 1975.

6. Mike Milstein and Robert Jennings, Educational Policy-Making and the State Legislature-The New York Experience (New York: Praeger Publishers) 1973, pp. 106-115.

7. The Fleishman Report on the Quality, Cost and Financing of Elementary and Secondary Education in New York State (New York: Viking Press) 1973, pp. 55-56, Volume I.

8. Ibid., p. 55.

9. Ibid., pp. 57-59.

10. Ibid., pp. 57-60.

11. Miriam Wasserman, The School Fix, NYC, USA (New York: Outerbridge and Dienstfrey), 1970, pp. 189.

12. Two accounts of the incidents and effects of decentralization appear in Marilyn Gittell's Participants and Participation (New York: Praeger Press) 1967 and David Rogers. 101 Livingston Street, (New York: Random House), 1968.

13. Susan Fainstein and Norman Fainstein." From the Folks Who Brought You Ocean Hill Brownsville," New York Affairs, 2 (2): 105, 1974.

14. Sheila C. White, "Work Stoppages of Government Employees." Monthly Labor Review, 92 Decenter, 1969.

15. Paul Ritterband, "Ethnic Power and the Public Schools - The New York City Strike of 1968," Sociology of Education, 47 (2) : 251, 267, Spring, 1974.

16. Hirchel Kasper, "The Effects of Collective Negotiations on Public School Teachers Salaries," Industrial and Labor Relations Review, 24 (1) : 57-72, October, 1970.

17. W. Clayton Hall and Norman Carroll, "The Effect of Teacher's Organizations on Salaries and Class Size," Industrial and Labor Relations Review, 26 (2) : 834-841, January, 1973.

18. Robert J. Thorton, "The Effects of Collective Negotiations on Teachers' Salaries," The Quarterly Review of Economics and Business, 11 (4) : 37-46, Winter, 1971.

19. S. B. Hinman Jr., "Fact Finding in Public Education Negotiation Disputes - A Management View," Journal of Law and Education, 3 (2) : 275-279, April, 1974.